

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

ORION ENERGY SYSTEMS, INC.

Plaintiff,
Counterclaim Defendant,

v.

Case Number: 16-CV-01250

ENERGY BANK, INC.,

Defendant,
Counterclaimant.

**DEFENDANT ENERGY BANK INCORPORATED'S
MOTION TO RECONSIDER AND REVISE
THE COURT'S ORDER REGARDING ASSIGNOR ESTOPPEL**

Defendant, Energy Bank, pursuant to Fed. R. Civ. P. 54(b) and Civil L. R. 7, by and through its undersigned counsel, requests a Revision of the Court's Decision and Order Granting Plaintiff's Motion to Dismiss Invalidity Counterclaim and Affirmative Defense (Dkt. 35) based on misapprehensions of fact and misapprehension of law, including Supreme Court law.

The grounds and bases for this motion are set forth in the accompanying memorandum of law.

Dated: July 21, 2017

SMITH KEANE LLP

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Defendant Counterclaimant
Energy Bank Incorporated

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